

TITLE 67 - NEBRASKA EMERGENCY MANAGEMENT_– ADDITIONAL FACILITIES SUBJECT TO EMERGENCY PLANNING REQUIREMENTS

CHAPTER 4 - PORTABLE FERTILIZER MANUFACTURING PLANTS

001 Commission and Committee Notification The owner or operators of portable fertilizer manufacturing plant or the manufacturing location shall provide the following notifications

001.01 Telephone notification as required by Section 002 no less than 24 hours and no more than 21 days prior to the actual time of placing the plant into service at each location.

001.02 Written notification as required by Section 003 below for each new or modified location before or on the tenth calendar day prior to the earliest possible date for placing the plant into service at the new or modified location.

002 Telephone Notification The owners or operators of portable fertilizer manufacturing plants or the manufacturing location shall satisfy the notification requirement contained in Section 001.01 above by submitting a telephonic notification to the committee and provide the following information:

002.01 The name and address of the location where the portable fertilizer manufacturing plant will be placed into operation.

002.02 The name(s) and identity(ies) of the hazardous substances to be processed in manufacturing.

002.03 The approximate date and time the fertilizer manufacturing process will begin at the location.

003 Planning Notification for Portable Fertilizer Manufacturing The owners or operators of portable fertilizer manufacturing plants shall satisfy the notification requirements contained in Section 001.02 above by submitting to the commission and then committee, a notification entitled "Planning Notification for Portable Fertilizer Manufacturing," which contains all the information included in the Federal Continuous Release report as codified in 40 CFR 302.8(e)(1)(I to iv), with the exception of the National Response Center or the Environmental Protection Agency case numbers which would not be available for new locations. An example format is attached to this rule.

004 Notification in Writing Owners or operators of the portable fertilizer plant and the owners or operators of the manufacturing location shall certify the information they have provided in the completion of the written notification as required in Section 001.02 above as being accurate and current to the best of their knowledge.

005 Notification Requirements The notification requirements of this chapter supersede the notification requirements of Section 001, 002, and 003 of Chapter 3 of this title.

006 Sensitive Local Environments and Populations Owners or operators of the manufacturing location shall certify, in the written Planning Notification for Portable Fertilizer Manufacturing, information of a local nature, specifically the identity and locations of sensitive environments and populations, and the population density within a one mile radius of the manufacturing location, as contained in 40 CFR 302.8(e)(1)(i, ii, and iii).

007 Manufacturing Information Owners or operators of portable fertilizer manufacturing plants shall certify in the written Planning Notification for Portable Fertilizer Manufacturing, information relevant to the manufacturing process, chemicals, and associated releases, specifically that information contained in 40 CFR 302-8(e)(1)(i and iv).